

AMENDMENTS TO THE DRAWINGS:

The attached replacement sheets of drawings includes changes to FIGS. 1, 3, 4B, 5B, and 6A and replaces the original sheets.

FIG. 1 has been amended to change "FlashRom" to "Flash ROM" and "Amba" to "AMBA."

FIGS. 3, 4B, 5B, and 6A have been amended to change "Amba" to "AMBA."

FIGS. 4B and 5B have also been amended to change "Q" to "Queue."

Applicant submits the foregoing amendments to FIGS. 1, 3, 4B, 5B, and 6A were made to correct minor informalities pointed out by the Examiner and that no new matter has been added.

Attachments following last page of this Amendment:

Replacement Sheet (5 pages)

Annotated Sheet Showing Changes (5 pages)

REMARKS

Claims 18-40 are pending in this application. Of these, claims 1, 26, and 33 are independent, and claims 23-40 are new. Favorable reconsideration and further examination are respectfully requested.

Initially, Applicants thank the Examiner for indicating that claims 19 and 20 would be in condition for allowance if rewritten in independent form to include all the limitations of their base claims. Applicants, however, have not amended those claims, as suggested by the Examiner, because Applicants believe that all the claims, as currently presented above, are allowable for at least the reasons set forth below.

Drawings

On page 2 of the Office Action, the Examiner objected to the drawings.

As shown above, FIGS. 1, 3, 4B, 5B, and 6A have been amended to correct the minor informalities pointed out by the examiner. Applicants submit that no new matter has been added and respectfully request withdrawal of the objections to the drawings.

Specification

Applicants have changed the title to "SRAM CONTROLLER FOR PARALLEL PROCESSOR ARCHITECTURE INCLUDING A READ QUEUE AND AN ORDER QUEUE

FOR HANDLING REQUESTS.” This title, as amended, is “brief but technically accurate and descriptive” according to the guidelines in MPEP 606.

Applicants have amended the specification to indicate that parent application Serial No. 10/208,264, filed July 30, 2002, is now U.S. Patent No. 6,728,845.

Applicants have made minor corrections to the specification. Applicants submit that these corrections are the same corrections that were made to the specification of the parent application Serial No. 09/387,110, now U.S. Patent No. 6,427,196, and that no new matter has been added.

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected claims 18-22 under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, the Examiner states that the language of claim 18 that recites “an order queue to queue ordered requests” is vague and confusing.

Applicants have amended claim 18 to clarify that the second queue (e.g., an order queue) stores memory reference requests and maintains the order of the memory reference requests. Applicants submit that support for the amendments to claim 18 can be found in the Applicants’ specification at least on page 29, lines 24-26 and page 30, lines 1-3. Applicants would like to thank the Examiner for suggesting amendments for overcoming the 112 rejections with respect to claim 18, however, Applicants have not amended claim 18, as suggested by the Examiner, because Applicants believe that claim 18 as amended above, overcomes the 112 rejection.

Applicants have amended claim 19 in the manner suggested by the Examiner. Accordingly, Applicants respectfully request that the 112 rejections be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Turning to the art rejections, claims 18, 21, and 22 were rejected under 35 U.S.C. 103(a) over Hunter et al. (U.S. Pat. 6,665,699) and Kleist et al. (U.S. Pat. 3,623,001).

Applicants note that the filing date of Hunter (September 23, 1999) is later than the earliest priority date (August 31, 1999) of the present application, as the present application is a continuation of U.S. patent application Serial No. 10/208,264, filed July 30, 2002, now U.S. Patent No. 6,728,845, which is a continuation of U.S. patent application Serial No. 09/387,110, filed August 31, 1999, now U.S. Patent No. 6,427,196. Thus, Hunter is not prior art to the application. Accordingly, withdrawal of the 103 rejection based in part on Hunter is respectfully requested.

Double Patenting

On pages 6-7 of the Office Action, the Examiner rejected claims 18-22 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,427,196 and claims 1-18 of US Patent No. 6,728,845.

Applicants submit that the obviousness-type double patenting rejection over US Patent No. 6,728,845 (originally application serial no. 10/208,264) is improper because claims 18-22 were originally claims 36-40 in patent application serial no. 10/208,264 and were withdrawn

subject to a restriction requirement.¹ Furthermore, the restriction requirement had stated that claims 36-40 were related to claims 1-18 of US Patent No. 6,728,845 (originally claims 18-35) as "subcombinations disclosed as usable together in a single combination."²

The law as stated in 35 U.S.C. 121 expressly prohibits holdings of double patenting on an application with respect to which a requirement for restriction has been made.

35 U.S.C. 121 Divisional applications

If two or more independent and distinct inventions are claimed in one application, the Director may require the application to be restricted to one of the inventions. If the other invention is made the subject of a divisional application which complies with the requirements of section 120 of this title it shall be entitled to the benefit of the filing date of the original application. A patent issuing on an application with respect to which a requirement for restriction under this section has been made, or on an application filed as a result of such a requirement, shall not be used as a reference either in the Patent and Trademark Office or in the courts against a divisional application or against the original application or any patent issued on either of them, if the divisional application is filed before the issuance of the patent on the other application. If a divisional application is directed solely to subject matter described and claimed in the original application as filed, the Director may dispense with signing and execution by the inventor. The validity of a patent shall not be questioned for failure of the Director to require the application to be restricted to one invention.

Furthermore, the MPEP § 804.01 clearly states that "the prohibition against holdings of double patenting applies to requirements for restriction between the related subjects treated in MPEP § 806.04 through § 806.05(j)<, namely, between combination and subcombination thereof, between subcombinations disclosed as usable together, ... etc., so long as the claims in each application are filed as a result of such requirement."

In view of the arguments above, Applicants respectfully request that the obviousness-type double patenting rejection over US Patent No. 6,728,845 be withdrawn.

¹ Office Action of June 17, 2003 for application serial no. 10/208,264, at item 5 on page 3.

² Ibid.

Applicants have enclosed a terminal disclaimer in compliance with 37 CFF 1.321(c) and 37 CFR 3.73(b) to overcome the rejection under the judicially created doctrine of obvious-type double patenting over U.S. Patent No. 6,427,196.

For at least the reasons discussed above, independent claim 18 is believed to be allowable. Independent claims 26 and 33 recite limitations that are similar to the limitations of claim 18, and therefore, are allowable for at least the same reasons as claim 18.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claims, except as specifically stated in this paper, and the amendment of any claims does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.


Enclosed is a terminal disclaimer and a terminal disclaimer fee therewith. Also enclosed are payments for an excess claims fee and a petition for a one-month extension of time fee. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 10559-078003.

Respectfully submitted,

Date: May 14, 2007

(Monday)

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906



Paul A. Pysher
Reg. No. 40,780